

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

All Cases Noted on Attached Appendix A

MDL No. 2804

Case No. 1:17-md-2804

JUDGE DAN AARON POLSTER

**STIPULATION AND [PROPOSED] ORDER
DISMISSING WITH PREJUDICE CLAIMS
PURSUANT TO TRIBAL SETTLEMENT AGREEMENT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for the Tribal Plaintiffs identified in Appendix A (collectively, the “Dismissing Plaintiffs”) and Defendant Walmart Inc. (collectively and together with their Released Entities, the “Walmart Defendants”¹) that, pursuant to the election of each Dismissing Plaintiff to participate in the Walmart Tribal Settlement Agreement, which is now dated November 14, 2022, which is binding on the Dismissing Plaintiffs and the Walmart Defendants (a copy of which is attached as Appendix B), all Claims of each Dismissing Plaintiff against any Walmart Defendant are hereby voluntarily DISMISSED WITH PREJUDICE, with each party to bear its own costs. The Court shall retain jurisdiction with respect to the Walmart Tribal Settlement Agreement to the extent provided under that Agreement.

¹ The Released Entities are each and every entity of any of the Walmart Defendants that is a “Released Entity” as set forth in Section VI of the Walmart Tribal Settlement Agreement, dated as of November 14, 2022, a copy of which is attached as Appendix B.

Dated: February 24, 2023

Agreed as to form and substance:

/s/ Lloyd Miller

Lloyd Miller / Don Simon / Whitney Leonard
Sonosky, Chambers, Sachse, Miller & Monkman, LLP

/s/ Geoffrey Strommer

Geoffrey Strommer / Caroline Mayhew /
Edmund Goodman
Hobbs, Straus, Dean & Walker, LLP

/s/ Tim Purdon

Tara Sutton / Tim Purdon
Robins Kaplan LLP

/s/ Lynn Sarko

Lynn Sarko
Keller Rohrbach, L.L.P.

/s/ T. Roe Frazer

T. Roe Frazer
Frazer PLC

/s/ Peter Mougey

Peter Mougey
Levin Papantonio Rafferty

/s/ Scott Gilbert

Scott Gilbert
Gilbert LLP

/s/ Elizabeth J. Cabraser

Elizabeth J. Cabraser / Dan Drachler / Eric B. Fastiff
Lieff Cabraser Heimann & Bernstein LLP

/s/ Steve Skikos

Jane Joseph / Steve Skikos
Skikos, Crawford, Skikos & Joseph LLP

Agreed as to form and substance:

WALMART INC.

/s/ Tina M. Tabacchi

Tina M. Tabacchi
Tara A. Fumerton
JONES DAY
110 North Wacker Drive, Suite 4800
Chicago, Illinois 60606
Phone: (312) 782-3939
E-mail: tmtabacchi@jonesday.com
E-mail: tfumerton@jonesday.com

Attorneys for Walmart Inc.

SO ORDERED:

Dated: _____

HON. DAN AARON POLSTER